

11324 U.S. PTO



102003

Attorney's docket 22706

Box Patent Application  
 Commissioner of Patents and Trademarks  
 Washington, DC 20231

# CERTIFICATE OF EXPRESS OR FIRST CLASS MAILING

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Signature  
 The Firm of Karl F. Ross, P.C.

## NEW APPLICATION TRANSMITTAL

## PATENT

Transmitted herewith for filing is the patent application of inventors:

	First Name	Last Name	Residence	Citizenship
1.	Zoltan	GREFF	Budapest, Hungary	Hungary
2.	Peter	KOTAY NAGY	Vac, Hungary	Hungary
3.	Jozsef	BARKOCZY	Budapest, Hungary	Hungary
4.	Gyula	SIMIG	Budapest, Hungary	Hungary
5.	Laszlo	BALAZS	Budapest, Hungary	Hungary
6.	Imre	DOMAN	Budapest, Hungary	Hungary
7.	Zoltan	RATKAI	Budapest, Hungary	Hungary
8.	Peter	SERES	Budapest, Hungary	Hungary
9.	Zsuzsa	SZENT KIRALLYI	Budapest, Hungary	Hungary
10.	Ferenc	BARTA	Tiszavasvari, Hungary	Hungary
11.	Gyorgyi	VERECZKEYNE DONATH	Budapest, Hungary	Hungary
12.	Kalman	NAGY	Budapest, Hungary	Hungary

For (title):

## PROCESS FOR THE PREPARATION OF AMORPHOUS ATORVASTATIN CALCIUM

### 1. Type of Application

- ☒ Utility  
☐ Design  
☐ Plant  
  
☐ Original  
☐ Divisional  
☒ Continuation  
☐ Continuation-in-part

17548 U.S. PTO  
 10/689823



10/20/03

### 2. Benefit of Prior US Application(s) (35 USC 120) or foreign priority (35 USC 119)

- ☒ The new application being transmitted claims the benefit of a prior US application. See ¶17--20 below.  
☒ Foreign priority claimed (see ¶9)

### 3. Papers Enclosed Required For Filing Date Under 37 CFR 1.53(b) (Uti.) or 37 CFR 1.153 (Des.)

- ☒ Pages of specification (9)  
☒ Pages of claims (1)  
☒ Pages of Abstract (1)  
☒ Sheets of Drawing (2)  
☒ Formal  
☐ Informal

**4. Additional papers enclosed**

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ PTO-1449
- ☐ Citations (none)
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing," computer-readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino-acid sequence
- ☐ Authorization of Attorney(s) to accept and follow instructions from Representative
- ☒ Other -- PTO Data Entry Form (3 pages)
- ☐ Other

**5. Declaration or Oath**

- ☒ Copy as filed enclosed  
original executed by
  - ☒ Inventor(s)
  - ☐ legal representative of inventor(s). 37 CFR 1.42 or 1.43
  - ☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or could not be reached
    - ☐ this is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached
- ☐ Not Enclosed
  - ☐ Application is made by a person authorized under 37 CFR 1.41(c) on behalf of all the above-named inventor(s).
  - ☐ Showing that the filing is authorized.

**6. Inventorship Statement**

The inventorship for all the claims in this application is:

- ☒ The same
- ☐ Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made
  - ☐ is submitted.
  - ☐ will be submitted.

**7. Language**

- ☒ English
- ☐ non-English
- ☐ the attached translation is a verified translation. 37 CFR 1.52(d).

**8. Assignment**

- ☒ An assignment of the invention to EGIS GYOGYSZERGYAR RT.
  - ☒ copy of filed is enclosed
  - ☐ will follow.

**9. Certified Copy**

Certified copies of applications

**Country**

Hungary

PCT

**Number**

P.9903634

PCT/HU00/00106

**Date**

18 October 1999

17 October 2000

from which priority is claimed

- ☐ is(are) attached.  
☐ will follow.  
☒ Was(were) filed earlier. See ¶18 below.

**10. Fee calculation**

- ☒ **A. Utility application**

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**CLAIMS AS FILED**


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	No. Filed	Base No.	No. Extra	Rate	Basic fee
Total claims	4	20	0	\$18.00	\$770.00
Independent claims	1	3	0	\$86.00	\$0.00
Mult. dep. claims	No	n/a	n/a	\$290.00	\$0.00

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- ☐ Amendment canceling extra claims enclosed.  
☐ Amendment canceling multiply dependent claims enclosed.  
☐ Fee for extra claims is not being paid at this time.  
     Filing Fee Calculation **\$770.00**
- ☐ **B. Design application**  
     (\$0.00--37 CFR 1.16(f))  
     Filing fee calculation **\$00.00**
- ☐ **C. Plant application**  
     (\$490.00--37 CFR 1.16(g))  
     Filing fee calculation **\$00.00**

**11. Entity Status**Applicant herewith qualifies as a **LARGE** entity.**12. Request for International-Type Search (37 CFR 1.104(d))**

- ☐ Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

**13. Fee Payment**

- ☐ Not enclosed.  
☐ No filing fee is to be paid at this time.
- ☒ Enclosed.
- |   |                 |
|---|-----------------|
| <input checked="" type="checkbox"/> basic filing fee  | \$770.00        |
| <input type="checkbox"/> petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or could not be reached | \$0.00          |
| <input type="checkbox"/> for processing an application with a specification in a non-English language   | \$0.00          |
| <input type="checkbox"/> processing and retention fee   | \$0.00          |
| <input type="checkbox"/> fee for international-type search report   | \$0.00          |
| <b>Total fees enclosed</b>  | <b>\$770.00</b> |

**14. Method of Payment of Fees**

- ☐ Check in the amount of \$770.00
- ☐ Charge Account 18-2025 for \$770.00. A duplicate of this form is attached.
- ☒ Charge to credit card (PTO-2038 attached.)

**15. Authorization to Charge Additional Fees**

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to account 18-2025.
- ☒ 37 CFR 1.16(a), (f), or (g) (filing fees)
- ☒ 37 CFR 1.16(b), (c), or (d) (extra claims)
- ☐ 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☒ 37 CFR 1.17 (application processing fees)
- ☐ 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance pursuant to 37 CFR 1.31(b))

**16. Instructions As To Overpayment**

- ☐ credit account 18-2025
- ☒ refund

**17. Relate Back—35 USC 120**

This is a continuation of copending application 10/110874 filed 3 July 2002.

**18. Relate Back—35 USC 119 Priority Claim for Prior Application**

The prior US application(s) identified above in ¶17 in turn claim(s) the following priority(ies):

Country	Number	Date
Hungary	P 99036.34	18 October 1999
PCT	HU 00/00106	17 October 2000

The certified copy(ies) has (have)

- ☒ been filed and receipt was acknowledged on 3 October 2003 in the above-cited prior application 10/110874.
- ☐ is(are) attached

**19. Maintenance of Copendency of Prior Application**

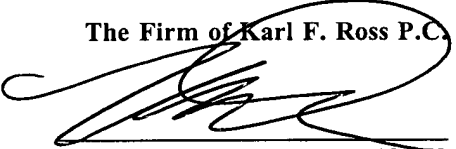
- ☐ Extension of time in prior application
- ☐ An extension request and fee extend the term in the prior application to .
  - ☐ A copy of the extension request for the prior application is attached

**20. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

- ☒ The inventors for this application and for above-cited prior application 10/110874 are the same.
- ☐ This application claims, in addition to inventors named in above-cited prior application 10/110874 the following additional inventors:  
n/a
- ☐ The following inventors named in above-cited prior application 10/110874 are not claimed in this application:  
n/a
- ☐ Submitted herewith is an explanation detailing the changed inventorship.

20 October 2003

The Firm of Karl F. Ross P.C.



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